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BUSINESS MACHINES CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

RSI CORP., dba RESPONSIVE SYSTEMS
COMPANY, a New Jersey corporation,

CASE NO. 5:08-cv-3414 (RMW/HRL)

**[PROPOSED] STIPULATED ORDER FOR
CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

Crtrm.: 6, 4th Floor
Judge: Hon. Ronald M. Whyte

Filing Date: February 15, 2008
Trial Date: None

INTERNATIONAL BUSINESS MACHINES
CORPORATION; and DOE DEFENDANTS
1-20,

Defendants.

00889.20502/3820537.1

WHEREAS, a Case Management Conference is scheduled in this case for March 18, 2011 at 10:30 a.m., having been previously continued from December 17, 2010;

WHEREAS, the parties have continued to work toward a resolution of the case by supplementing their document productions and propounding additional discovery requests.

WHEREAS, the parties have not yet been able to schedule a mediation of the disputes between them because they need to complete their productions and take the depositions of Rule 30(b)(6) witnesses before participation in mediation would be meaningful.

WHEREAS, the parties submit that they are continuing to exchange documents and respond to written discovery with the aim toward resolution of the case.

10 WHEREAS, the parties submit that the currently scheduled Case Management Conference
11 would be of little benefit to the Court or the parties, and the parties agree that a Case Management
12 Conference scheduled approximately 90 days later would be appropriate.

13 It is therefore stipulated between the Parties that, subject to the approval of the Court, the
14 Case Management Conference currently scheduled for March 18, 2011, should be continued to
15 June 17, 2011, or the next available date thereafter on the Court's calendar.

16 | Dated: March 8, 2011 SEVERSON & WERSON

By: s/Pamela L. Schultz

Pamela L. Schultz
Attorneys for Plaintiff RSI CORP.

19 Dated: March 8, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: This day of March, 2011

Hon. Ronald M. Whyte